

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

K.R., a minor, by and through his parent
and natural guardian, Kali Proctor,
G.H., a minor, by and through her parent
and natural guardian, Katelyn Hansen,
P.K., a minor, by and through his parent
and natural guardian, Roynetter Birgans,
L.G., a minor, by and through her parent
and natural guardian, Desmond Gilbert,

Case No. 19-cv-00999 (DWF / LIB)

**JOINT MOTION REGARDING
CONTINUED SEALING**

Plaintiffs,

v.

Duluth Public Schools Academy
d/b/a Duluth Edison Charter Schools,

Defendant.

Pursuant to LR 5.6, documents in the above referenced case have been filed under temporary seal in connection with the following motion and associated response and reply:

Defendant's Motion for Summary Judgment	ECF No. 106
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Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment	ECF No. 128
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Defendant's Reply Memorandum of Law in Support of Motion for Summary Judgment	ECF No. 150
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The parties respectfully submit this Joint Motion Regarding Continued Sealing.

DKT. NO.	DKT. NO. OF REDACTED VERSION (if filed)	DESCRIPTION OF DOCUMENT	PRECISELY IDENTIFY: a) The information that the parties agree should remain sealed; b) The information the parties agree should be unsealed; and (c) The information about which the parties disagree	REASON WHY DOCUMENT SHOULD REMAIN SEALED OR BE UNSEALED
ECF 111		Ex. DD: Deposition Exhibit 48 (Individualized Education Plan (IEP) of P.K.	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors; Document would need to be further redacted pursuant to Fed. R. Civ. P. 5.2.
ECF 113		Ex. HH: Deposition Exhibit 213 (Behavior Detail Report of P.K.)	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors; Document would need to be further redacted pursuant to Fed. R. Civ. P. 5.2.
ECF 115		Ex. II: Deposition Exhibit 214 (Behavior Detail Report of P.K. from 2019-2020)	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors; Document

				would need to be further redacted pursuant to Fed. R. Civ. P. 5.2.
ECF 117		Ex. III: March 27, 2017 Maltreatment Report	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors; Document would need to be further redacted pursuant to Fed. R. Civ. P. 5.2.
ECF 128	ECF 129	Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment	The parties agree this document should remain under seal as the redacted portions of the document contains quotes from Confidential Exhibit 18 at ECF 135-4, which Plaintiffs also assert should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors not parties to the lawsuit
ECF 135		Ex. 2: P.K. Enrollment History at North Star Academy 2019-2020; DECS016633-16634	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors
ECF 135-1		Ex. 3: K.R. Enrollment History at North Star Academy 2019-2020; DECS001147	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains

				sensitive education records relating to minors
ECF 135-2		Ex. 4: L.G. Enrollment History at North Star Academy 2017-2018; DECS001234	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors
ECF 135-3		Ex. 9: Email from C Gardner dated 4.28.17; Used as Deposition Exhibit 117; DECS007241-007242	<p>Plaintiffs assert this document should be <u>unsealed</u>.</p> <p>Defendant asserts this document should remain under seal.</p>	<p>Plaintiffs' Position: Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).</p> <p>Defendant's Position: The document contains data protected from disclosure under MGDPA as private data on students and parents. In addition, the document should remain sealed as it contains information that, alone or in combination, is linked to specific student(s) that would allow a reasonable person(s) in the school community, to identify the student(s) with reasonable certainty, contrary to FERPA.</p>

ECF 135-4		Ex. 18: Compilation of Emails relating to Plaintiffs' Summary Exhibit at ECF 89; Various Bates, see index	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors not parties to the lawsuit
ECF 135-5		Ex. 20: Email from B Jorgenson dated 5.11.2018 re Information; DECS012387	Plaintiffs assert this document should be <u>unsealed</u> . Defendant asserts this document should remain under seal.	Plaintiffs' Position: Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37). Defendant's position: The document should remain sealed as it contains information that, alone or in combination, is linked to specific student(s) that would allow a reasonable person(s) in the school community, to identify the student(s) with reasonable certainty, contrary to FERPA.
ECF 135-6		Ex. 21: Email dated 2.14.2018 re Behavior Incident Notice; Used as Deposition Exhibit 8; DECS005101	The Parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors

ECF 135-7		Ex. 22: Email from B Jorgenson dated 9.13.2018 re office 9/12/18; Used as Deposition Exhibit 155; DECS014060-014061	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors as well as private personnel data under MGDPA
ECF 135-8		Ex. 23: Behavior Detail Report, December 2017; DECS016649	The parties this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-9		Ex. 24: Email from K Regas dated 5.21.2018 re Bathroom Issues; Used as Deposition Exhibit 12; DECS005070	The parties agree this document should be <u>unsealed</u> .	Document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).
ECF 135-10		Ex. 25: Email chain from D Plath dated 11.14.2019 re update; Used as Deposition Exhibit 79; DECS016133-016135	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-11		Ex. 26: Email from B Jorgenson dated 5.9.2018 re walk out update; DECS012423-424	The parties agree this document should be <u>unsealed</u> .	Document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or

				regulations, or operative Protective Order (ECF No. 37).
ECF 135-12		Ex. 28: Email from pbis@duluthedison.com dated 4.25.2017 re North Star Minor Referral; Used as Deposition Exhibit 40; DECS003610	The parties agree this document should be <u>unsealed</u> .	Document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data as redacted.
ECF 135-13		Ex 29: DECS006869	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-14		Ex. 30: Investigatory Memorandum dated 5.14.2018; DECS012379-384	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors; Document contains private personnel data pursuant to MGDPA
ECF 135-15		Ex. 31: Email chain from S Lindberg dated 12.6.2013 re [];DECS015810	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors

ECF 135- 16		Ex. 32: Email from J Hubley dated 4.30.2019 re [];DECS015863	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135- 17		Ex. 33: Email chain from S Moore dated 12.21.2018 re [];DECS015879-80	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135- 18		Ex. 34: Email chain from C Gardner dated 4.17.2018 re Fwd: Help; DECS006633-34	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135- 19		Ex. 35: Email Fwd from J Fuchs dated 5.8.2018 re Fwd: not sure; DECS015655	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135- 20		Ex. 36: Email from K Regas dated 1.17.2019 re Feelings; DECS004671	Plaintiffs assert this document should be <u>unsealed</u> . Defendants assert this document should remain under seal.	Plaintiffs' Position: Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37),

				<p>and does not contain identifiable student data about students other than settled minor plaintiff G.H..</p> <p>Defendant's position: The document should remain sealed as it contains information that, alone or in combination, is linked to specific student(s) that would allow a reasonable person(s) in the school community, to identify the student(s) with reasonable certainty, contrary to FERPA. The document also contains private personnel data pursuant to MGDPA.</p>
ECF 135-21		Ex. 37: Email chain from K Regas dated 3.22.2019 re Concerns; Used as Deposition Exhibit 101; DECS004490	The Parties agree this document should be <u>unsealed</u> .	Document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).
ECF 135-22		Ex. 39: Email chain from K Regas dated 10.24.2018 re Fwd: Follow Up; Used as Deposition Exhibit 142; DECS004970-004971	<p>Plaintiffs assert this document should be <u>unsealed</u>.</p> <p>Defendant asserts this document should remain under seal.</p>	Plaintiffs' Position: Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).

				Defendant's Position: The document contains data protected from disclosure under MGDPA as private personnel data.
ECF 135-23		Ex. 40: Letter from B Jorgenson to Hansen dated 10.25.2018 re Investigation Report; Used as Deposition Exhibit 143; DECS004964-004969	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-24		Ex. 41: Email chain from K Regas dated 11.7.2018 re Fwd: Raleigh Minor Referral; Used as Deposition Exhibit 27; DECS004997	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-25		Ex. 42: Email from B Jorgenson dated 5.7.2018 re investigation needed; Used as Deposition Exhibit 154; DECS012431	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-26		Ex. 43: Email chain from K Regas dated 3.22.2019 re Concerns; Used as Deposition Exhibit 17; DECS004485-004486	The parties agree this document should be <u>unsealed</u> .	Document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).
ECF 135-27		Ex. 44: Email chain from D Stovall and B Jorgenson dated 4.27.2015 re	The parties agree this document should be <u>unsealed</u> .	Document does not contain information designated as confidential by Fed. R. Civ. P.

		administrators training related to reducing bias manual; DECS007901-06		26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).
ECF 135-28		Ex. 45: L.G. Health Office Visit Report; DECS001241-42	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive health information relating to minors
ECF 135-29		Ex. 46: Behavior Detail Report February 2017; DECS016646	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-30		Ex. 48: Tier 1 Meetings 2017-18; DECS018074-77	The parties agree this document should be <u>unsealed</u> .	The parties agree this document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-31		Ex. 49: JA PBIS Tier 1 Teams; DECS018041-46	The parties agree this document should be <u>unsealed</u> .	The parties agree this document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.

ECF 135- 32		Ex. 50: K.R. Enrollment History at Raleigh Academy 18-19; DECS001099	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors
ECF 135- 33		Ex. 52: K.R.'s DAP Notes from Charles Fai; Deposition; Excerpt from document used as Deposition Exhibit 238; PROCTOR0001339-0001342	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive health information relating to minors
ECF 135- 34		Ex. 58: Email chain from J Ondrus and K Proctor dated 2.9.2018; Used as Deposition Exhibit 230; DECS014341	The parties agree this document should be <u>unsealed</u> .	The parties agree that the only student data within document relates to Plaintiff K.R., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).
ECF 135- 35		Ex. 59: Email chain from K Proctor dated 9.13.2018 re K.R.; Used as Deposition Exhibit 36; DECS003373	The parties agree this document should be <u>unsealed</u> .	The parties agree that the only student data within document relates to Plaintiff K.R., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).

ECF 135- 36		Ex. 60: 2016-17 and 2017-18 Report Cards for K.R.; DECS001107-1110	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors
ECF 135- 37		Ex. 61: K.R.'s Progress Notes from Charles Fai; Excerpt from document used as Deposition Exhibit 237; PROCTOR000106	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive health information relating to minors
ECF 135- 38		Ex. 62: P.K. Enrollment History at North Star Academy 2019-2020; DECS001374-1375	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors
ECF 135- 39		Ex. 64: Photo of P.K. hair; PROCTOR0000307	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135- 40		Ex. 65: Investigatory Memorandum dated 4.27.18; Deposition Exhibit 50; DECS006045	Plaintiffs assert this document should be <u>unsealed</u> . Defendant asserts this document should remain under seal.	Plaintiffs' Position: Plaintiffs contend document does not contain identifiable student data about minors other than Plaintiff P.K., and does not contain information designated as confidential by Fed. R. Civ. P.

				<p>26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).</p> <p>Defendant's position: The document contains private personnel data the disclosure of which is prohibited by MGDPA.</p>
ECF 135-41		Ex. 66: Notice of Educational Evaluation/Reevaluation Part B Report for P.K.; Excerpt of Document Used from Deposition Exhibit 49; DECS002074, 2079, 2087-88	The parties agree this entire document should remain under seal.	<p>Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors</p>
ECF 135-42		Ex. 67: Investigatory Memorandum dated 4.27.18; DECS014862	<p>Plaintiffs assert this document should be <u>unsealed</u>.</p> <p>Defendant asserts this document should remain under seal.</p>	<p>Plaintiffs' Position: Plaintiffs contend document does not contain identifiable student data about minors other than Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37).</p> <p>Defendant's position: The document contains private personnel data the disclosure of which is prohibited by MGDPA</p>

ECF 135- 43		Ex. 68: Email from J Terch dated 4.27.2018 re Roynetter Birgans; DECS012450-51	The parties agree this document should be <u>unsealed</u> .	The parties agree that the only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135- 44		Ex. 69: Student Period Attendance Detail for P.K. 2017-2018; DECS001301-1303	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive education records relating to minors
ECF 135- 45		Ex. 70: Email from N Kedrowski dated 11.16.2019 re referrals for PK revised 111519 49 referrals; DECS016117	The parties agree this document should be <u>unsealed</u> .	The parties agree that the only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135- 46		Ex. 71: Email from pbis@duluthedison.com dated 2.12.2018 re North Star	Plaintiffs assert this entire document should remain under seal.	Plaintiffs' Position: Unsealing this document would needlessly annoy and embarrass the minor

		Major Referral for [P.K.]; DECS015224	Defendant asserts this document should be <u>unsealed</u> .	<p>plaintiff, contrary to Fed. R. Civ. P. 26(c), by exposing private and/or sensitive education data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.</p>
ECF 135- 47		Ex. 72: Email from pbis@duluthedison.com dated 3.1.2018 re North Star Major Referral for [P.K.]; DECS015171	<p>Plaintiffs assert this entire document should remain under seal.</p> <p>Defendant asserts this document should be <u>unsealed</u>.</p>	<p>Plaintiffs' Position: Unsealing this document would needlessly annoy and embarrass the minor plaintiff, contrary to Fed. R. Civ. P. 26(c), by exposing private and/or sensitive education data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff P.K., and document does not contain information designated as</p>

				confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-48		Ex. 74: Minor Referrals excerpt from Behavior Report Detail re P.K.; DECS06418-20	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-49		Ex. 76: Email chain from A Mattsen dated 4.9.2018 re PK; Used as Deposition Exhibit 170; DECS015118-015120	The parties agree that this document should be <u>unsealed</u> .	The only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-50		Ex. 78: Email chain from A Mattsen dated 11.16.2017 re PK elevator follow up; DECS015228	The parties agree this document should be <u>unsealed</u> .	The parties contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.

ECF 135- 51		Ex. 79: Email from pbis@duluthedison.com re North Star Minor Referral for [PK]; DECS003578	<p>Plaintiffs assert this entire document should remain under seal.</p> <p>Defendant asserts this document should be <u>unsealed</u>.</p>	<p>Plaintiffs' Position: Unsealing this document would needlessly annoy and embarrass the minor plaintiff, contrary to Fed. R. Civ. P. 26(c), by exposing private and/or sensitive education data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.</p>
ECF 135- 52		Ex. 80: Email chain from D Plath dated 5.7.2018 re quick notes/PK; Used as Deposition Exhibit 259; DECS006557-006559	The parties agree this document should be <u>unsealed</u> .	The parties contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135- 53		Ex. 81: Email chain from R Birgans dated 10.26.2017 re meeting request; Used as	Plaintiffs assert this document should be <u>unsealed</u> .	Plaintiffs contend document does not contain information designated as confidential by

		Deposition Exhibit 178; DECS014140		Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-54		Ex. 82: Email from A Mattsen dated 12.3.2018 re vision accommodation; Used as Deposition Exhibit 183; DECS015014	The parties agree this document should be <u>unsealed</u> .	The parties contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-55		Ex. 83: Email chain from R. Birgans dated 1.17.2018 re eye rest; Used as Deposition Exhibit 177; DECS014136	<p>Plaintiffs assert this entire document should remain under seal.</p> <p>Defendant asserts this document should be <u>unsealed</u>.</p>	<p>Plaintiffs' Position: Unsealing this document would oppress the minor plaintiff, contrary to Fed. R. Civ. P. 26(c), by exposing private and/or sensitive health data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37),</p>

				and does not contain identifiable student data.
ECF 135-56		Ex. 84: Email chain from H Durfee dated 5.28.2019 re PK Meeting; Used as Deposition Exhibit 186; DECS014976-014979	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 135-57		Ex. 85: Excerpts from P.K. Cumulative File; DECS001255-58	<p>Plaintiffs assert this entire document should remain under seal.</p> <p>Defendant asserts this document should be <u>unsealed</u>.</p>	<p>Plaintiffs' Position: Unsealing this document would needlessly annoy and embarrass the minor plaintiff, contrary to Fed. R. Civ. P. 26(c), by exposing private and sensitive education and personal data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff P.K., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.</p>
ECF 135-58		Ex. 86: Email from D Plath dated 3.29.2013 re Thank	The parties agree this document should be <u>unsealed</u> .	The parties contend document does not contain information designated as confidential by

		You; Used as Deposition Exhibit 71; DECS014528		Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-59		Ex. 87: Email chain from D Plath dated 4.24.2018 re PK; Used as Deposition Exhibit 72; DECS015103-015106	Plaintiffs assert this document should be <u>unsealed</u> .	Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-60		Ex. 88: Email from D Plath dated 9.11.2019 re PK; DECS014488	The parties agree this document should be <u>unsealed</u> .	The parties contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-61		Ex. 89: 6/27/19 Sonja Wildwood Therapy Notes for PK; Excerpt from Deposition Exhibit 277; PROCTOR0000133-135	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive health information relating to minors
ECF 135-62		Ex. 90: L.G. Enrollment History at North Star Academy 2017-2018; DECS001234	Plaintiffs assert this entire document should remain under seal.	Plaintiffs' Position: Unsealing this document would needlessly annoy and embarrass the minor plaintiff, contrary to Fed. R. Civ.

			<p>Defendant asserts this document should be <u>unsealed</u>.</p>	<p>P. 26(c), by exposing private and/or sensitive education data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff L.G., and document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.</p>
ECF 135-63		Ex. 92: Check & Connect Annual Student Support Services Plan 1.19.2017; DECS006284	<p>Plaintiffs assert this entire document should remain under seal.</p> <p>Defendant asserts this document should be <u>unsealed</u>.</p>	<p>Plaintiffs' Position: Unsealing this document would needlessly annoy and embarrass the minor plaintiff, contrary to Fed. R. Civ. P. 26(c), by exposing private and/or sensitive education data peripheral to allegations of the case</p> <p>Defendant's Position: The only student data within document relates to Plaintiff L.G., and document does not contain information designated as confidential by Fed. R. Civ. P.</p>

				26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135- 64		Ex. 94: Behavior Incident Notice - Major Referral dated 4.18.2017; Used as Deposition Exhibit 58; DECS016419	<p>Plaintiffs assert this document should be <u>unsealed</u>.</p> <p>Defendant asserts this document should remain under seal.</p>	<p>Plaintiffs' Position: Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain reasonably identifiable student data about students other than minor plaintiff L.G..</p> <p>Defendant's Position: The document should remain sealed as it contains information that, alone or in combination, is linked to specific student(s) that would allow a reasonable person(s) in the school community, to identify the student(s) with reasonable certainty, contrary to FERPA.</p>
ECF 135- 65		Ex. 95: Email from Gardner dated 4.20.2017 re recent referral; DECS007046	Plaintiffs assert this document should be <u>unsealed</u> .	Plaintiffs' Position: Plaintiffs contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or

			Defendant asserts this document should remain under seal.	<p>regulations, or operative Protective Order (ECF No. 37), and does not contain reasonably identifiable student data about students other than minor plaintiff L.G..</p> <p>Defendant's Position: The document should remain sealed as it contains information that, alone or in combination, is linked to specific student(s) that would allow a reasonable person(s) in the school community, to identify the student(s) with reasonable certainty, contrary to FERPA.</p>
ECF 135-66		Ex. 96: Email chain from D Gilbert dated 12.5.2016 re North Star Minor Referral for [LG]; DECS006163-64	The parties agree this document should be <u>unsealed</u> .	The parties contend document does not contain information designated as confidential by Fed. R. Civ. P. 26(c), statutes, rules or regulations, or operative Protective Order (ECF No. 37), and does not contain identifiable student data.
ECF 135-67		Ex. 97: Email chain from J Fuchs dated 12.13.2018 re Fwd: [];DECS013477-78	The parties agree this entire document should remain under seal.	Unsealing this document places an undue burden on minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors

ECF 135- 68		Ex. 98: Email chain from B Jorgenson dated 9.13.2018 re [] 9/12; DECS014064-65	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors
ECF 152		Ex. NNN: Expert Report of Paula Forbes, J.D., dated December 4, 2020	The parties agree this entire document should remain under seal.	Unsealing this document would annoy, embarrass, or oppress minors, contrary to Fed. R. Civ. P. 26(c); Document contains sensitive personal information relating to minors; Document would need to be further redacted pursuant to Fed. R. Civ. P. 5.2.

Dated: October 8, 2021

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